D.B. HABES CORPUS WRIT PETITION NO.6009/2007
Rajesh Jajoo Vs. 1. State of Rajasthan
2. Jagdish Soni

&

S.B. Misc. Criminal Petition No.1421/2007
(D.B. HABEAS CORPUS PETITION NO.5632/2007)
Rajesh Jajoo Vs. 1. State of Rajasthan
2. Jagdish Soni

Date : 21.09.2007

PRESENT

HON'BLE MR. JUSTICE RAJESH BALIA
HON'BLE MR. JUSTICE SANGEET LODHA

Mr. N.K. Bohra for the petitioner.
Mr. L.R. Upadhyay, Dy. Government Advocate.
Mr. Hastimal Sarswat for the respondent.

An application has been moved signed by the petitioner Rajesh Jajoo duly identified by his counsel Shri N.K. Bohra and the respondent No.2, Jagdish Soni identified by his counsel Shri H.M. Sarswat that the dispute in question affecting human relationship has amicably settled. The corpus Rusti has been returned to applicant Rajesh Jajoo and the respondent No.2, Jagdish Soni has acknowledged that his daughter Rusti has married with the petitioner.

In view of the aforesaid application which has duly been verified before the Dy. Registrar (Judicial) and

parties present before us have also accepted the same, the petition is dismissed as having become infructuous.

As the dispute has been amicably settled and the custody of Ms. Rusti has been delivered to Rajesh Jajoo by respondent No.2, Jagdish Soni with the acknowledgment of the marriage of Rajesh Jajoo and Smt. Rusti, the order passed by learned Addl. Sessions Judge No.1 on 1st Sept., 2007 affirming the order of learned Judicial Magistrate delivering the custody of Rusti, who was recovered pursuant to a complaint filed by her father Shri Jagdish Soni, to the father gave also become infructuous and inoperative, in view of the changed circumstances noticed above.

As a result of this, the criminal misc. petition No.1421/2007 which came to be registered as per direction of the Court in D.B. Habeas Corpus Petition No.5632/2007 to treat as petition under Section 482 Cr.P.C. has also become infructuous. The same is also dismissed as such with clarification that the order passed by the Judicial Magistrate and affirmed by the Addl. Sessions Judge about the custody of Mst. Rusti Daughter of Shri Jagdish Soni have become inoperative and no right

can be claimed thereunder.

The corpus present in the court is allowed to go with the petitioner Rajesh Jajoo.

[SANGEET LODHA], J. [RAJESH BALIA], J.

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